Board of Supervisors Memorandum

May 6, 2014

Agenda Item 17
Mitigation Impacts – Kinder Morgan Sierrita Pipeline

Background

At the April 8, 2014 Board of Supervisors meeting, the Board approved a motion to continue the agenda item regarding the proposed Sierrita Pipeline in Altar Valley to May 6, 2014 so a stakeholders meeting with Kinder Morgan could be arranged prior to the Board meeting. In accordance with the Board's direction, this stakeholders meeting was held on April 30, 2014 at the Pima County Administration Building. In attendance were representatives from Kinder Morgan, the Altar Valley Conservation Alliance, the Tohono O'odham Nation, the Coalition for Sonoran Desert Protection, Arizona State Land Department, Tucson Electric Power Company, Mr. Glenn Miller representing Congressman Raúl Grijalva, and Pima County. The US Fish and Wildlife Service was invited but did not attend.

Stakeholder Meeting Purpose

For several years, Pima County and the stakeholders have provided substantive information to Kinder Morgan/Sierrita Gas Pipeline, LLC and the Federal Regulatory Energy Commission (FERC), but a number of issues were not addressed in the FERC Final Environmental Impact Statement (FEIS) and remain unresolved. The purpose of the stakeholders meeting was for Kinder Morgan to meet with stakeholders directly to hear issues and concerns related to the proposed Sierrita Pipeline in Altar Valley and how these might be resolved. The issues raised by stakeholders included:

1. Extend the monitoring and habitat restoration period for a period from 5 to either 20 or 25 years through an enforceable instrument.
2. Conduct aerial photography annually to detect and immediately remedy erosion, illegal trafficking routes, invasive species, and restoration failure.
3. Address Tohono O'odham concerns related to completion of a cultural landscape study, protection of cultural resources in proximity to right of way, Tribal monitoring of archaeological data recovery, ceremonies for destruction of cacti, treatment of Tohono O'odham sites in Mexico, the cumulative impacts resulting from increased drug trafficking and the adequacy of the Historic Properties Treatment Plan.
4. Provide a conservation fund to offset land management costs to Pima County.

5. Mitigate impacts to the Maeveen Marie Behan Conservation Land System (CLS).
6. Acquire ranchland for desired CLS mitigation.
7. Salvage cacti prior right of way clearing.

Additional Staff Meeting

Following the stakeholders' meeting, I met with Kinder Morgan representatives on May 1, 2014 to emphasize that full restoration of the pipeline right of way and prevention of ongoing degradation of the environment were paramount concerns, and we discussed what they will do to resolve these issues and those of the stakeholders. We are making some progress, and we agreed to further discussions. We also agreed to work directly (both parties – the County and Kinder Morgan) on developing an acceptable monitoring, management, mitigation and damage repair plan.

Recommendation

I recommend the Board of Supervisors continue Agenda Item 17, Mitigation Impacts – Kinder Morgan Sierrita Pipeline, from May 6, 2014 to June 3, 2014.

Respectfully submitted,

C.H. Huckelberry
County Administrator

CHH/mjk – May 1, 2014

c: Attendees, April 30, 2014 Stakeholders Meeting
Allen Fore, Director—Public Affairs, Kinder Morgan Energy Partners
Linda Mayro, Director, Office of Sustainability and Conservation
Diana Durazo, Special Staff Assistant to the County Administrator